

09/623342

PATENT
10191/1577IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Franz OHMS
International Application No. : PCT/DE98/03741
International Filing Date : December 21, 1998
U.S. Serial No. : 09/623,342
For : **SWITCHING CONTROLLER**

Assistant Commissioner
for Patents
Box PCT
Washington, D.C. 20231

Attention: DO/EO/US

RESPONSE TO MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed September 22, 2000), Applicant submits herewith the following:

- a. Declaration and Power of Attorney;
- b. Certified English translation of application;
- c. Preliminary Amendment;
- d. Substitute Specification and Marked-Up Version
- e. Information Disclosure Statement and PTO 1449; and
- e. Translation of International Preliminary Examination Report and Annexes.

The application filed in the Patent Office is the application which the inventor executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

Applicant hereby requests a five-month extension of time for responding to the Notification of Missing Requirements mailed on September 22, 2000, which set a one-month period for response. The extended period for response expires on March 22, 2001. Please charge the \$1,890.00 extension fee to the deposit account of Kenyon & Kenyon, deposit account number 11-0600.

EL59461395US

The Office is authorized to charge the \$260.00 fee to cover the surcharge for late filing of the Declaration and processing fee for providing the English translation of the application and annexes to Deposit Account No. 11-0600.

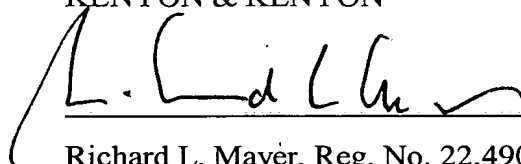
The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose.

Respectfully submitted,

KENYON & KENYON

Date:

5/22/01



Richard L. Mayer, Reg. No. 22,490
One Broadway
New York, NY 10004
Tel: (212) 425-7200
Fax: (212) 425-5288

03/27/2001 HNGUYEN 00000149 110600 09623342

01 FC:128	1890.00 CH
02 FC:154	130.00 CH
03 FC:156	130.00 CH

U.S. APPLICATION NO.	FIRST NAME	ATTY. DOCKET NO.
09/623342	OHMS	F 10191/1577
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004		
INTERNATIONAL APPLICATION NO. PCT/DE98/03741		
I.A. FILING DATE 21 DEC 98		PRIORITY DATE 05 MAR 98
DATE MAILED: 22 SEP 2000		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
 - ☒ an Elected Office (37 CFR 1.495):
 - ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application in:
 - ☒ a non-English language.
 - ☐ English.
 - ☐ Translation of the international application into English.
 - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
 - ☐ Copy of Article 19 amendments.
 - ☐ Translation of Article 19 amendments into English.
 - ☐ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☐ Preliminary amendment(s) filed _____ and _____.
 - ☐ Information Disclosure Statement(s) filed _____ and _____.
 - ☐ Assignment document.
 - ☐ Power of Attorney and/or Change of Address.
 - ☐ Substitute specification filed _____.
 - ☐ Verified Statement Claiming Small Entity Status.
 - ☒ Priority Document.
 - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
 - ☐ Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☒ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the

EL594611395US

EXPRESS MAIL CERTIFICATE

"EXPRESS MAIL" MAILING LABEL NUMBER EL59461139568

DATE OF DEPOSIT 3/22/01

TYPE OF DOCUMENT Response to Missing Requirements

SERIAL NO. 09/623,342 FILING DATE 12/21/1998

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE, BY BEING HANDED TO A POSTAL CLERK OR BY BEING PLACED IN THE EXPRESS MAIL BOX BEFORE THE POSTED DATE OF THE LAST PICK UP, AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

Chandua Seonawan

(PRINTED NAME OF PERSON MAILING PAPER OR FEE)

Chandua Seonawan

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Switching Controller